

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Jian-Yun DONG *et al.*

Serial No.: 10/555,109

Filed: November 1, 2005

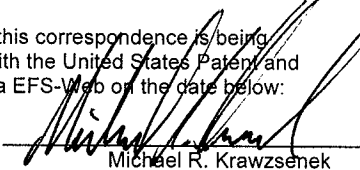
For: AN AUTOLOGOUS UPREGULATION  
MECHANISM ALLOWING OPTIMIZED  
CELL TYPE-SPECIFIC AND  
REGULATED GENE EXPRESSION  
CELLS

Group Art Unit: 1636

Examiner: Unknown

Atty. Dkt. No.: MESC:014US

Confirmation No.: 5410

CERTIFICATE OF ELECTRONIC TRANSMISSION	
I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web on the date below:	
May 25, 2007	
Date	Michael R. Krawczanek

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

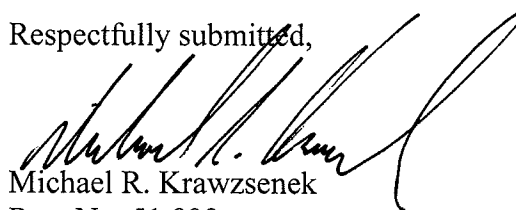
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/MESC:014US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Michael R. Krawzsenek  
Reg. No. 51,898  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: May 25, 2007

Form PTO-1449 (modified)	Atty. Docket No.: MESC:014US	Serial No.: 10/555,109
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)	Applicant: Jian-Yun DONG <i>et al.</i>	
	Filing Date: November 1, 2005	Group: Unknown
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Language
	B1	WO 01/30799	05/03/01	WIPO	English

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Almendro <i>et al.</i> , "Cloning of the human platelet endothelial cell adhesion molecule-1 promoter and its tissue-specific expression," <i>J. Immunol.</i> , 157:5411-5421, 1996.
	C2	Andriani <i>et al.</i> , "Use of the probasin promoter ARR <sub>2</sub> PB to express Bax in androgen receptor-positive prostate cancer cells," <i>J. Natl. Cancer Inst.</i> , 93:1314-1324, 2001.
	C3	Barnes <i>et al.</i> , "Cloning of cardiac, kidney, and brain promoters of the feline <i>nex1</i> gene," <i>J. Biol. Chem.</i> , 272:11510-11517, 1997.
	C4	Belousova <i>et al.</i> , "Modulation of adenovirus vector tropism via incorporation of polypeptide ligands into the fiber protein," <i>J. Virol.</i> , 76:8621-8631, 2002.
	C5	Bhavsar <i>et al.</i> , "Isolation and characterization of the human cardiac troponin I gene," <i>Genomics</i> , 35:11-23, 1996.
	C6	Bodnar <i>et al.</i> , "Extension of life-span by introduction of telomerase into normal human cells," <i>Science</i> , 279:349-352, 1998.
	C7	Burcin <i>et al.</i> , "Adenovirus-mediated regulable target gene expression in vivo," <i>Proc. Natl. Acad. Sci. USA</i> , 96:335-360, 1999.
	C8	Buskens <i>et al.</i> , "A genetically retargeted adenoviral vector enhances viral transduction in esophageal carcinoma cell lines and primary cultured esophageal resection specimens," <i>Ann. Surg.</i> , 238:815-824, 2003.

25738632.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)  
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.H./

Form PTO-1449 (modified)	Atty. Docket No.: <b>MESC:014US</b>	Serial No.: <b>10/555,109</b>
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)	Applicant: <b>Jian-Yun DONG <i>et al.</i></b>	
	Filing Date: <b>November 1, 2005</b>	Group: <b>Unknown</b>
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C9	Cong <i>et al.</i> , "The human telomerase catalytic subunit hTERT: organization of the gene and characterization of the promoter," <i>Hum. Mol. Genet.</i> , 8:137-142, 1999.
	C10	Counter <i>et al.</i> , "Telomerase activity is restored in human cells by ectopic expression of hTERT (hEST2), the catalytic subunit of telomerase," <i>Oncogene</i> , 16:1217-1222, 1998.
	C11	Dahm <i>et al.</i> , "A longitudinal assessment of bowel related symptoms and fecal incontinence following radical perineal prostatectomy," <i>J. Urol.</i> , 169:2220-2224, 2003.
	C12	Doehn and Jocham, "Technology evaluation: CV-787, Calydon Inc," <i>Curr. Opin. Mol. Ther.</i> , 3:204-210, 2001.
	C13	Fieck <i>et al.</i> , "Modifications of the <i>E. coli</i> Lac repressor for expression in eukaryotic cells: effects of nuclear signal sequences on protein activity and nuclear accumulation," <i>Nucleic Acids Res.</i> , 20:1785-1791, 1992.
	C14	Fillat <i>et al.</i> , "Suicide gene therapy mediated by the herpes simplex virus thymidine kinase gene/ganciclovir system: fifteen years of application," <i>Curr. Gene Ther.</i> , 3:13-26, 2003.
	C15	Franz <i>et al.</i> , "Characterization of a cardiac-selective and developmentally upregulated promoter in transgenic mice," <i>Cardioscience</i> , 5:235-243, 1994.
	C16	Freundlieb <i>et al.</i> , "A tetracycline controlled activation/repression system with increased potential for gene transfer into mammalian cells," <i>J. Gene Med.</i> , 1:4-12, 1999.
	C17	Furth <i>et al.</i> , "Temporal control of gene expression in transgenic mice by a tetracycline-responsive promoter," <i>Proc. Natl. Acad. Sci. USA</i> , 91:9302-9306, 1994.
	C18	GenBank Accession No. AB016767.
	C19	GenBank Accession No. AF097365.
	C20	GenBank Accession No. AH003050.
	C21	GenBank Accession No. S81389.
	C22	GenBank Accession No. Z21818.
	C23	Gopal-Srivastava <i>et al.</i> , "Regulation of the murine $\alpha$ B-crystallin small heat shock protein gene in cardiac muscle," <i>J. Mol. Cell. Biol.</i> , 15:7081-7090, 1995.

25738632.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)  
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.H./

Form PTO-1449 (modified)		Atty. Docket No.: <b>MESC:014US</b>	Serial No.: <b>10/555,109</b>
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: <b>Jian-Yun DONG <i>et al.</i></b>	
		Filing Date: <b>November 1, 2005</b>	Group: <b>Unknown</b>
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C24	Gossen and Bujard, "Tight control of gene expression in mammalian cells by tetracycline-responsive promoters," <i>Proc. Natl. Acad. Sci. USA</i> , 89:5547-5551, 1992.
	C25	Gossen <i>et al.</i> , "Transcriptional activation by tetracyclines in mammalian cells," <i>Science</i> , 268:1766-1769, 1995.
	C26	Greenberg <i>et al.</i> , "Prostate cancer in transgenic mouse," <i>Proc. Natl. Acad. Sci. USA</i> , 92:3439-3443, 1995.
	C27	Greenberg <i>et al.</i> , "The rat probasin gene promoter directs hormonally and developmentally regulated expression of a heterologous gene specifically to the prostate in transgenic mice," <i>Mol. Endocrinol.</i> , 8:230-239, 1994.
	C28	Hahn <i>et al.</i> , "Creation of human tumour cells with defined genetic elements," <i>Nature</i> , 400:464-468, 1999.
	C29	Hara <i>et al.</i> , "Comparison of quality of life following laparoscopic and open prostatectomy for prostate cancer" <i>J. Urol.</i> , 169:2045-2048, 2003.
	C30	Harrington <i>et al.</i> , "Human telomerase contains evolutionarily conserved catalytic and structural subunits," <i>Gene Dev.</i> , 11:3109-3115, 1997.
	C31	Hauck and Stanners, "Transcriptional regulation of the carcinoembryonic antigen gene," <i>J. Biol. Chem.</i> , 270:3602-3610, 1995.
	C32	Haviv and Curiel, "Conditional gene targeting for cancer gene therapy," <i>Adv. Drug Deliv. Rev.</i> , 53:135-154, 2001.
	C33	Heideman <i>et al.</i> , "Selective gene delivery toward gastric and esophageal adenocarcinoma cells via EpCAM-targeted adenoviral vectors," <i>Cancer Gene Ther.</i> , 8:342-351, 2001.
	C34	Henning <i>et al.</i> , "Genetic modification of adenovirus 5 tropism by a novel class of ligands based on a three-helix bundle scaffold derived from staphylococcal protein A," <i>Hum. Gene Ther.</i> , 13:1427-1439, 2002.
	C35	Hinoda <i>et al.</i> , "Correlated expression of mRNAs of carcinoembryonic antigen and nonspecific cross-reacting antigen genes in malignant and nonmalignant tissues of the colon," <i>Japanese J. Clin. Oncol.</i> , 21:75-81, 1991.
	C36	Horikawa <i>et al.</i> , "Cloning and characterization of the promoter region of <i>human telomerase reserve transcriptase</i> gene," <i>Cancer Res.</i> , 59:826-830, 1999.

25738632.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)  
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.H./

Form PTO-1449 (modified)		Atty. Docket No.: <b>MESC:014US</b>	Serial No.: <b>10/555,109</b>
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: <b>Jian-Yun DONG <i>et al.</i></b>	
		Filing Date: <b>November 1, 2005</b>	Group: <b>Unknown</b>
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C37	Howe <i>et al.</i> , "The responsiveness of a tetracycline-sensitive expression system differs in different cell lines," <i>J. Biol. Chem.</i> , 270:14168-14174, 1995.
	C38	Hyer <i>et al.</i> , "Intracellular Fas ligand expression causes Fas-mediated apoptosis in human prostate cancer cells resistant to monoclonal antibody-induced apoptosis," <i>Mol. Ther.</i> , 2:348-358, 2000.
	C39	Jessup and Thomas, "Carcinoembryonic antigen: function in metastasis by human colorectal carcinoma," <i>Cancer and Metastasis Rev.</i> , 8:263-280, 1989.
	C40	Jongmans <i>et al.</i> , "Targeting of adenovirus to human renal cell carcinoma cells," <i>Urology</i> , 62:559-565, 2003.
	C41	Kanai, "Transcriptional targeted gene therapy for hepatocellular carcinoma by adenovirus vector," <i>Mol. Biotechnol.</i> , 18:243-250, 2001.
	C42	Kashentseva <i>et al.</i> , "Adenovirus targeting to c-erbB-2 oncoprotein by single-chain antibody fused to trimeric form of adenovirus receptor ectodomain," <i>Cancer Res.</i> , 62:609-616, 2002.
	C43	Kasper <i>et al.</i> , "Selective activation of the probasin androgen-responsive region by steroid hormones," <i>J. Mol. Endocrinol.</i> , 22:313-325, 1999.
	C44	Kelly <i>et al.</i> , "Myosin light chain 3F regulatory sequences confer regionalized cardiac and skeletal muscle expression in transgenic mice," <i>J. Cell Biol.</i> , 129:383-396, 1995.
	C45	Kijima <i>et al.</i> , "Application of the Cre recombinase/ <i>loxP</i> system further enhances antitumor effects in cell type-specific gene therapy against carcinoembryonic antigen-producing cancer," <i>Cancer Res.</i> , 59:4906-4911, 1999.
	C46	Kilian <i>et al.</i> , "Isolation of a candidate human telomerase catalytic subunit gene, which reveals complex splicing patterns in different cell types," <i>Hum. Mol. Genet.</i> , 12:2011-2019, 1997.
	C47	Kim <i>et al.</i> , "Molecular determinants of response to TRAIL in killing of normal and cancer cells," <i>Clin. Cancer Res.</i> , 6:335-346, 2000.
	C48	Kimura <i>et al.</i> , "A 900 bp genomic region from the mouse dystrophin promoter directs <i>lacZ</i> reporter expression only to the right heart of transgenic mice," <i>Dev. Growth Differ.</i> , 39:257-265, 1997.
	C49	Kim <i>et al.</i> , "The emerging fields of suicide gene therapy and virotherapy," <i>Trends Mol. Med.</i> , 8:S68-73, 2002.

25738632.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

Form PTO-1449 (modified)		Atty. Docket No.: MESC:014US	Serial No.: 10/555,109
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: Jian-Yun DONG <i>et al.</i>	
		Filing Date: November 1, 2005	Group: Unknown
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C50	Kirschner-Hermanns and Jakse, "Quality of life following radical prostatectomy," <i>Crit. Rev. Oncol. Hematol.</i> , 43:141-151, 2002.
	C51	Kistner <i>et al.</i> , "Doxycycline-mediated quantitative and tissue-specific control of gene expression in transgenic mice," <i>Proc. Natl. Acad. Sci. USA</i> , 93:10933-10938, 1996.
	C52	Klein <i>et al.</i> , "Locally advanced prostate cancer," <i>Curr. Treat. Options Oncol.</i> , 2:403-411, 2001.
	C53	Komatsu <i>et al.</i> , "Cre-loxP-mediated <i>bax</i> gene activation reduces growth rate and increases sensitivity to chemotherapeutic agents in human gastric cancer cells," <i>Cancer Gene Ther.</i> , 7:885-892, 2000.
	C54	Kraus <i>et al.</i> , "Alternative promoter usage and tissue specific expression of the mouse somatostatin receptor 2 gene," <i>FEBS LETT.</i> , 428:165-70, 1998.
	C55	Kubo <i>et al.</i> , "Phase I dose escalation clinical trial of adenovirus vector carrying osteocalcin promoter-driven herpes simplex virus thymidine kinase in localized and metastatic hormone-refractory prostate cancer," <i>Hum. Gene Ther.</i> , 14:227-241, 2003.
	C56	LaPointe <i>et al.</i> , "Upstream sequences confer atrial-specific expression on the human atrial natriuretic factor gene," <i>J. Biol. Chem.</i> , 263:9075-9078, 1988.
	C57	LaPointe <i>et al.</i> , "Use of a polymerase-chain-reaction-amplified DNA probe from <i>Pseudomonas putida</i> to detect D-hydantoinase-producing microorganisms by direct colony hybridization," <i>Appl. Microbiol. Biotechnol.</i> , 42:895-900, 1995.
	C58	Lareyre <i>et al.</i> , "A 5-kilobase pair promoter fragment of the murine epididymal retinoic acid-binding protein gene drives the tissue-specific, cell-specific, and androgen-regulated expression of a foreign gene in the epididymis of transgenic mice," <i>J. Biol. Chem.</i> , 274:8282-8290, 1999.
	C59	Latham <i>et al.</i> , "Prostate-specific antigen promoter/enhancer driven gene therapy for prostate cancer:: construction and testing of a tissue-specific adenovirus vector," <i>Cancer Res.</i> , 60:334-341, 2000.
	C60	Lee <i>et al.</i> , "Bax expressed from a herpes viral vector enhances the efficacy of <i>N,N'</i> -bis(2-hydroxyethyl)- <i>N</i> -nitrosourea treatment in a rat glioma model," <i>Cancer Gene Ther.</i> , 7:1113-1119, 2000.
	C61	Lee <i>et al.</i> , "Molecular characterization of fetal alcohol syndrome using mRNA differential display," <i>Biochem. Biophys. Res. Commun.</i> , 240:309-313, 1997.

25738632.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)  
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.H./

Form PTO-1449 (modified)		Atty. Docket No.: <b>MESC:014US</b>	Serial No.: <b>10/555,109</b>
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: <b>Jian-Yun DONG <i>et al.</i></b>	
		Filing Date: <b>November 1, 2005</b>	Group: <b>Unknown</b>
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C62	Magari <i>et al.</i> , "Pharmacological control of a humanized gene therapy system implanted into nude mice," <i>J. Clin. Invest.</i> , 100:2865-2872, 1997.
	C63	Meuleman and Mulders, "Erectile function after radical prostatectomy: a review," <i>Eur. Urol.</i> , 43:95-101, 2003.
	C64	Meyerson <i>et al.</i> , " <i>hEST2</i> , the putative human telomerase catalytic subunit gene, is up-regulated in tumor cells and during immortalization," <i>Cell</i> , 90:785-795, 1997.
	C65	Moss <i>et al.</i> , "The myogenic regulatory factor MRF <sub>4</sub> represses the cardiac $\alpha$ -actin promoter through a negative-acting N-terminal protein domain," <i>Biol. Chem.</i> , 271:31688-31694, 1996.
	C66	Nakamura <i>et al.</i> , "Reduction of natural adenovirus tropism to the liver by both ablation of fiber-coxsackievirus and adenovirus receptor interaction and use of replaceable short fiber," <i>J. Virol.</i> , 77:2512-2521, 2003.
	C67	Nakamura <i>et al.</i> , "Telomerase catalytic subunit homologs from fission yeast and human," <i>Science</i> , 277:955-959, 1997.
	C68	Nakayama <i>et al.</i> , "Telomerase activation by hTERT in human normal fibroblasts and hepatocellular carcinomas," <i>Nature Genet.</i> , 18:65-68, 1998.
	C69	Nettelbeck <i>et al.</i> , "Retargeting of adenoviral infection to melanoma: combining genetic ablation of native tropism with a recombinant bispecific single-chain diabody (scDb) adapter that binds to fiber knob and HMWMAA," <i>Int. J. Cancer</i> , 108:136-145, 2004.
	C70	Neumaier <i>et al.</i> , "Characterization of a cDNA clone for the nonspecific cross-reacting antigen (NCA) and a comparison of NCA and carcinoembryonic antigen," <i>J. Biol. Chem.</i> , 263:3202-3207, 1988.
	C71	Nishihara <i>et al.</i> , "Treatment of thyroid carcinoma cells with four different suicide gene-prodrug combinations <i>in vitro</i> ," <i>Anticancer Res.</i> , 18:1521-1525, 1998.
	C72	No <i>et al.</i> , "Ecdysone-inducible gene expression in mammalian cells and transgenic mice," <i>Proc. Natl. Acad. Sci. USA</i> , 93:3346-3351, 1996.
	C73	Nomoto <i>et al.</i> , "Cloning and characterization of the alternative promoter regions of the human <i>LIMK2</i> gene responsible for alternative transcripts with tissue-specific expression," <i>Gene</i> , 236:259-271, 1999.

25738632.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)  
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.H./



Form PTO-1449 (modified)		Atty. Docket No.: <b>MESC:014US</b>	Serial No.: <b>10/555,109</b>
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: <b>Jian-Yun DONG <i>et al.</i></b>	
		Filing Date: <b>November 1, 2005</b>	Group: <b>Unknown</b>
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C74	Oikawa <i>et al.</i> , "Molecular cloning of a gene for a member of carcinoembryonic antigen (CEA) gene family; signal peptide and N-terminal domain sequences of nonspecific crossreacting antigen (NCA)," <i>Biochem. Biophys. Res. Comm.</i> , 146:464-469, 1987.
	C75	Osaki <i>et al.</i> , "Gene therapy for carcinoembryonic antigen-producing human lung cancer cells by cell type-specific expression of herpes simplex virus thymidine kinase gene," <i>Cancer Res.</i> , 54:5258-5261, 1994.
	C76	Paxton <i>et al.</i> , "Sequence analysis of carcinoembryonic antigen: identification of glycosylation sites and homology with the immunoglobulin supergene family," <i>Proc. Natl. Acad. Sci. USA</i> , 84:920-924, 1987.
	C77	Pound <i>et al.</i> , "Prostate-specific antigen after anatomic radical retropubic prostatectomy: patterns of recurrence and cancer control," <i>Urol. Clin. North Am.</i> , 24:395-406, 1997.
	C78	Qiao <i>et al.</i> , "Tumor-specific transcriptional targeting of suicide gene therapy," <i>Gene Therapy</i> , 9:168-175, 2002.
	C79	Rennie <i>et al.</i> , "Characterization of two <i>Cis</i> -acting DNA elements involved in the androgen regulation of the probasin gene," <i>Mol. Endocrinol.</i> , 7:23-36, 1993.
	C80	Richards <i>et al.</i> , "Transcriptional regulatory sequences of carcinoembryonic antigen: identification and use with cytosine deaminase for tumor-specific gene therapy," <i>Hum. Gene Ther.</i> , 6:881-593, 1995.
	C81	Robbins <i>et al.</i> , "Definition of the expression of the human carcinoembryonic antigen and non-specific cross-reacting antigen in human breast and lung carcinomas," <i>Int. J. Cancer</i> , 53:892-897, 1993.
	C82	Rubinchik <i>et al.</i> , "A complex adenovirus vector that delivers FASL-GFP with combined prostate-specific and tetracycline-regulated expression," <i>Mol. Ther.</i> , 4:416-426, 2001.
	C83	Rubinchik <i>et al.</i> , "Adenoviral vector which delivers FasL-GFP fusion protein regulated by the tet-inducible expression system," <i>Gene Ther.</i> , 7:875-885, 2000.
	C84	Rubinchik <i>et al.</i> , "Construction, purification, and characterization of adenovirus vectors and expressing apoptosis-inducing transgenes," <i>Methods Enzymol.</i> , 346:529-547, 2002.
	C85	Rubinchik <i>et al.</i> , "Creation of a new transgene cloning site near the right ITR of Ad5 results in reduced enhancer interference with tissue-specific and regulatable promoters," <i>Gene Ther.</i> , 8:247-253, 2001.

25738632.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

Form PTO-1449 (modified)		Atty. Docket No.: <b>MESC:014US</b>	Serial No.: <b>10/555,109</b>
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: <b>Jian-Yun DONG <i>et al.</i></b>	
		Filing Date: <b>November 1, 2005</b>	Group: <b>Unknown</b>
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C86	Rubinchik <i>et al.</i> , "Enhanced apoptosis of glioma cell lines is achieved by co-delivering FasL-GFP and TRAIL with a complex Ad5 vector," <i>Cancer Gene Ther.</i> , 10:814-822, 2003.
	C87	Rubinchik <i>et al.</i> , In: <i>Virus Vectors for Gene Therapy: Methods and Protocols</i> , Humana Press, Inc., NJ, 2003.
	C88	Schrewe <i>et al.</i> , "Cloning of the complete gene for carcinoembryonic antigen: analysis of its promoter indicates a region conveying cell type-specific expression," <i>Mol. Cell. Biol.</i> , 10:2738-2748, 1990.
	C89	Schuur <i>et al.</i> , "Prostate-specific antigen expression is regulated by an upstream enhancer," <i>J. Biol. Chem.</i> , 271:7043-7051, 1996.
	C90	Seol <i>et al.</i> , "Adenovirus-TRAIL can overcome TRAIL resistance and induce a bystander effect," <i>Cancer Gene Ther.</i> , 10:540-548, 2003.
	C91	Shinoura <i>et al.</i> , "Adenovirus-mediated transfer of Bax with caspase-8 controlled by myelin basic protein promoter exerts an enhanced cytotoxic effect in gliomas," <i>Cancer Gene Ther.</i> , 7:739-748, 2000.
	C92	Shirakawa <i>et al.</i> , "Tissue-specific promoters in gene therapy for the treatment of prostate cancer," <i>Mol. Urol.</i> , 4:73-82, 2000.
	C93	Smith-Arica <i>et al.</i> , "Cell-type-specific and regulatable transgenesis in the adult brain: adenovirus-encoded combined transcriptional targeting and inducible transgene expression," <i>Mol. Ther.</i> , 2:579-587, 2000.
	C94	Smith-Arica <i>et al.</i> , "Switching on and off transgene expression within lactotrophic cells in the anterior pituitary gland <i>in vivo</i> ," <i>Endocrinol.</i> , 142:2521-2532, 2001.
	C95	Snoek <i>et al.</i> , "Differential transactivation by the androgen receptor in prostate cancer cells," <i>Prostate</i> , 36:256-263, 1998.
	C96	Spencer <i>et al.</i> , "Controlling signal transduction with synthetic ligands," <i>Science</i> , 262:1019-1024, 1993.
	C97	Takakura <i>et al.</i> , "Cloning of human telomerase catalytic subunit (hTERT) gene promoter and identification of proximal core promoter sequences essential for transcriptional activation in immortalized and cancer cells," <i>Cancer Res.</i> , 59:551-557, 1999.

25738632.1

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)  
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.H./

Form PTO-1449 (modified)		Atty. Docket No.: MESC:014US	Serial No.: 10/555,109
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: Jian-Yun DONG <i>et al.</i>	
		Filing Date: November 1, 2005	Group: Unknown
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C98	Tang <i>et al.</i> , "Vigilant vectors: adeno-associated virus with a biosensor to switch on amplified therapeutic genes in specific tissues in life-threatening disease," <i>Methods</i> , 28:259-266, 2002.
	C99	Thompson <i>et al.</i> , "Carcinoembryonic antigen gene family: molecular biology and clinical perspectives," <i>J. Clin. Lab. Anal.</i> , 5:344-366, 1991.
	C100	Tsumaki <i>et al.</i> , "Modular arrangement of cartilage- and neural tissue-specific <i>cis</i> -elements in the mouse $\alpha 2$ (DI) collagen promoter," <i>J. Biol. Chem.</i> , 273:22861-22864, 1998.
	C101	van Beusechem <i>et al.</i> , "Conditionally replicative adenovirus expressing a targeting adapter molecule exhibits enhanced oncolytic potency on CAR-deficient tumors," <i>Gene Ther.</i> , 10:1982-1991, 2003.
	C102	Vigne <i>et al.</i> , "Genetic manipulations of adenovirus type 5 fiber resulting in liver tropism attenuation," <i>Gene Ther.</i> , 10:153-162, 2003.
	C103	Voelkel-Johnson <i>et al.</i> , "Resistance of prostate cancer cells to soluble TNF-related apoptosis-inducing ligand (TRAIL/Apo2L) can be overcome by doxorubicin or adenoviral delivery of full-length TRAIL," <i>Cancer Gene Ther.</i> , 9:164-172, 2002.
	C104	Volk <i>et al.</i> , "Enhanced adenovirus infection of melanoma cells by fiber-modification," <i>Cancer Biol. Ther.</i> , 2:511-515, 2003.
	C105	Wang <i>et al.</i> , "Ligand-inducible and liver-specific target gene expression in transgenic mice," <i>Nature Biotech.</i> , 15:239-243, 1997.
	C106	Wang, "A regulatory system for use in gene transfer," <i>Proc. Natl. Acad. Sci. USA</i> , 91:8180-8184, 1994.
	C107	Weinrich <i>et al.</i> , "Reconstitution of human telomerase with the template RNA component hTR and the catalytic protein subunit hTERT," <i>Nature Genet.</i> , 17:498-502, 1997.
	C108	Wesseling <i>et al.</i> , "Improved gene transfer efficiency to primary and established human pancreatic carcinoma target cells via epidermal growth factor receptor and integrin-targeted adenoviral vectors," <i>Gene Ther.</i> , 8:969-976, 2001.
	C109	Wildner, "Comparison of replication-selective, oncolytic viruses for the treatment of human cancers," <i>Curr. Opin. Mol. Ther.</i> , 5:351-361, 2003.
	C110	Wu <i>et al.</i> , "Generation of a prostate epithelial cell-specific Cre transgenic mouse model for tissue-specific gene ablation," <i>Mech. Dev.</i> , 101:61-69, 2001.

25738632.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)  
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.H./

Form PTO-1449 (modified)		Atty. Docket No.: <b>MESC:014US</b>	Serial No.: <b>10/555,109</b>
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: <b>Jian-Yun DONG <i>et al.</i></b>	
		Filing Date: <b>November 1, 2005</b>	Group: <b>Unknown</b>
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C111	Wu <i>et al.</i> , "Promoter-dependent tissue-specific expressive nature of imprinting gene, insulin-like growth factor II, in human tissues," <i>Biochem. Biophys. Res. Commun.</i> , 233:221-226, 1997.
	C112	Wyborski and Short, "Analysis of inducers of the <i>E.coli lac</i> repressor system in mammalian cells and whole animals," <i>Nucleic Acids Res.</i> , 19:4647-4653, 1991.
	C113	Wyborski <i>et al.</i> , "Parameters affecting the use of the <i>Iac</i> repressor system in eukaryotic cells and transgenic animals," <i>Environ. Mol. Mutagen.</i> , 28:447-458, 1996.
	C114	Yamamoto <i>et al.</i> , "Infectivity enhanced, cyclooxygenase-2 promoter-based conditionally replicative adenovirus for pancreatic cancer," <i>Gastroenterology</i> , 125:1203-1218, 2003.
	C115	Yamauchi-Takahara <i>et al.</i> , "Characterization of human cardiac myosin heavy chain genes," <i>Proc. Natl. Acad. Sci. USA</i> , 86:3504-3508, 1989.
	C116	Yazawa <i>et al.</i> , "Current progress in suicide gene therapy for cancer," <i>World J. Surg.</i> , 26:783-789, 2002.
	C117	Zhang <i>et al.</i> , "A small composite probasin promoter confers high levels of prostate-specific gene expression through regulation by androgens and glucocorticoids <i>in vitro</i> and <i>in vivo</i> ," <i>Endocrinology</i> , 141:4698-4710, 2000.
	C118	Zhao-Emonet <i>et al.</i> , "Deletional and mutational analyses of the human CD4 gene promoter: characterization of a minimal tissue-specific promoter," <i>Biochim. Biophys. Acta.</i> , 1442:109-119, 1998.
	C119	Ziober and Kramer, "Identification and characterization of the cell type-specific and developmentally regulated $\alpha 7$ integrin gene promoter," <i>J. Bio. Chem.</i> , 271:22915-22922, 1996.

25738632.1

EXAMINER: /Kelaginamane Hiriyanna/ (12/21/2009) DATE CONSIDERED: 12/21/2009

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)  
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.H./